



03/18/04

RCE

PM 01038
(10892*18)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

.....
MICHEL ANDRE CREPEAU : EXAMINER: WELLS, LAUREN Q.

SERIAL NO: 09/921,947 : ART UNIT: 1617 ✓

FILED: AUGUST 3, 2001 :

FOR: NON-COMBUSTIBLE WATER-DISPERSIBLE
VITAMIN COMPOSITIONS :

.....
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"Express Mail" mailing label number: ER 375178742 US Date of Deposit: March 17, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by

Barbara J. Miller
(Signature of person mailing paper or fee)

Barbara J. Miller
(Name of Person mailing paper or fee)

RESUBMISSION OF REQUEST FOR CONTINUED EXAMINATION (RCE)

Dear Sir:

Applicants have been advised by telephone (Examiner Lauren Wells) that the RCE papers that were sent by express mail to the USPTO on October 31, 2003, are not currently associated with the file for the above-identified patent application. Examiner Wells requested that the RCE papers be resubmitted so that they can be considered.

Attached to the present paper are copies of all of the documents that were sent to the USPTO by express mail on October 31, 2003. These documents were a Request for Continued Examination (RCE) Transmittal; a Petition for Extension of Time (four months); a Fee Transmittal Form; a check for \$3,156.00 and an Amendment.

Also attached to this paper is a copy of the return postcard for the aforementioned RCE papers showing that the papers were received by the USPTO on October 31, 2003, and a copy of the canceled check that was attached to the aforementioned RCE papers, showing that the check was cashed by the USPTO on November 5, 2003.

In view of the foregoing and the attached evidence, it is respectfully requested that the USPTO enter the attached papers into the record for the above-identified patent application and consider the attached papers as being filed with the USPTO on the date that they were originally received by the USPTO, that is October 31, 2003.

Should the patent office or the Examiner have any questions concerning this paper, the office is invited to telephone the undersigned.

Respectfully submitted,
CONNOLLY BOVE LODGE & HUTZ LLP

By: 

William E. McShane
Registration No. 32,707
P. O. Box 2207
Wilmington, Delaware 19899
(302) 888-6248
Attorney for Applicants



Due Date: November 7, 2003

Atty Docket No.: 10892-00018-US
Client Ref. No. : PM01038

Inventor: Michel A. Crepeau

Application No.: 09/921947-Conf. #8375 Filing Date: August 3, 2001
Title: NON-COMBUSTIBLE WATER-DISPERSIBLE VITAMIN COMPOSITIONS

Documents Filed:

Four Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Request for Continued Examination Transmittal (1 page)

Fee Transmittal (1 page)

Amendment

Check in the amount of \$3,154.00

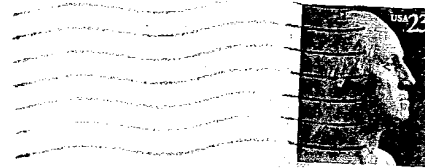


Via: Express Mail: Airbill No. ER 375178345 US

Handling Atty: WEM/bjm

Date: October 31, 2003

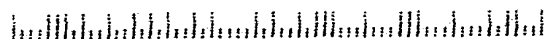
Client Contact:



CONNOLLY BOVE LODGE & HUTZ LLP

P.O. BOX 2207

WILMINGTON, DELAWARE 19899





LAW OFFICES OF
CONNOLLY BOVE LODGE & HUTZ LLP
1220 Market Street
P.O. Box 2207
WILMINGTON, DELAWARE 19899

WILMINGTON TRUST CO.
WILMINGTON, DELAWARE

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311

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18098

PAY Three thousand one hundred fifty-six and NO/100
TO THE
ORDER
OF Director of Patents and Trademarks

DATE

10/31/2003

AMOUNT

\$3,156.00

Mary Hope O'Leary
AUTHORIZED SIGNATURE

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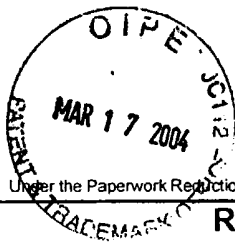
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PATENT AND TRADEMARK OFFICE
13-10-0001
11-05-2003
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PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|-----------------------------|------------------------|
| Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number | 09/921,947-Conf. #8375 |
| | Filing Date | August 3, 2001 |
| | First Named Inventor | Michel A. Crepeau |
| | Art Unit | 1617 |
| | Examiner Name | L. Wells |
| | Attorney Docket No. | 10892-00018-US |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

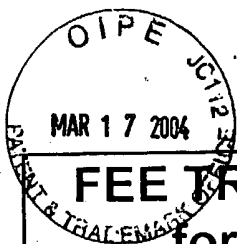
iii. ☒ Other Fees for extra claims over 20 and independent claims in excess of 3 (\$906.00)

b. ☒ Check in the amount of \$ 3,156.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
|---|--------------------|-----------------------------------|------------------|
| Name (Print/Type) | William E. McShane | Registration No. (Attorney/Agent) | 32,707 |
| Signature | | Date | October 31, 2003 |

Express Mail Label No. ER 375178345 US Dated: 10/31/03

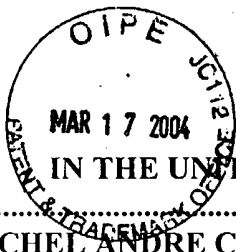


| | | | | |
|--|------|--------------------------|------------------------|----------------|
| FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003, Patent fees are subject to annual revision.</small> | | Complete if Known | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Application Number | 09/921,947-Conf. #8375 | |
| | | Filing Date | August 3, 2001 | |
| | | First Named Inventor | Michel A. Crepeau | |
| | | Examiner Name | L. Wells | |
| | | Art Unit | 1617 | |
| TOTAL AMOUNT OF PAYMENT | (\$) | 3,156.00 | Attorney Docket No. | 10892-00018-US |

| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------|--|--------------|-----------------|----------|---------------|---------------|----|--------|-----------------------|----------|------------------------|--------|--------------------|----------|-----------------------------------|--|----------|----------|---------------------------------------|--|----------|----------|--|--|----------|---------|--|--|---------------------|--|--|--------|--|--|
| <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | 3. ADDITIONAL FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Deposit Account: Deposit Account Number: 03-2775 Deposit Account Name: Connolly Bove Lodge & Hutz LLP | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FEE CALCULATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. BASIC FILING FEE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Code Fee (\$)</td><td>Code Fee (\$)</td><td></td><td></td></tr><tr><td>1001 770</td><td>2001 385</td><td>Utility filing fee</td><td></td></tr><tr><td>1002 340</td><td>2002 170</td><td>Design filing fee</td><td></td></tr><tr><td>1003 530</td><td>2003 265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004 770</td><td>2004 385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005 160</td><td>2005 80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="3">SUBTOTAL (1)</td><td>0.0</td></tr></tbody></table> | | Large Entity | Small Entity | Fee Description | Fee Paid | Code Fee (\$) | Code Fee (\$) | | | 1001 770 | 2001 385 | Utility filing fee | | 1002 340 | 2002 170 | Design filing fee | | 1003 530 | 2003 265 | Plant filing fee | | 1004 770 | 2004 385 | Reissue filing fee | | 1005 160 | 2005 80 | Provisional filing fee | | SUBTOTAL (1) | | | 0.0 | | |
| Large Entity | Small Entity | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Code Fee (\$) | Code Fee (\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1001 770 | 2001 385 | Utility filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1002 340 | 2002 170 | Design filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1003 530 | 2003 265 | Plant filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1004 770 | 2004 385 | Reissue filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1005 160 | 2005 80 | Provisional filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (1) | | | 0.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>56</td><td>36</td><td>18</td><td>648.00</td></tr><tr><td>Independent Claims: 6</td><td>3</td><td>86</td><td>258.00</td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td></td></tr></tbody></table> | | Total Claims | Extra Claims | Fee from below | Fee Paid | 56 | 36 | 18 | 648.00 | Independent Claims: 6 | 3 | 86 | 258.00 | Multiple Dependent | | | | | | | | | | | | | | | | | | | | | |
| Total Claims | Extra Claims | Fee from below | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 56 | 36 | 18 | 648.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent Claims: 6 | 3 | 86 | 258.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple Dependent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Code Fee (\$)</td><td>Code Fee (\$)</td><td></td><td></td></tr><tr><td>1202 18</td><td>2202 9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201 86</td><td>2201 43</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203 290</td><td>2203 145</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204 86</td><td>2204 43</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>1205 18</td><td>2205 9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="3">SUBTOTAL (2)</td><td>906.00</td></tr></tbody></table> | | Large Entity | Small Entity | Fee Description | Fee Paid | Code Fee (\$) | Code Fee (\$) | | | 1202 18 | 2202 9 | Claims in excess of 20 | | 1201 86 | 2201 43 | Independent claims in excess of 3 | | 1203 290 | 2203 145 | Multiple dependent claim, if not paid | | 1204 86 | 2204 43 | ** Reissue independent claims over original patent | | 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | | SUBTOTAL (2) | | | 906.00 | | |
| Large Entity | Small Entity | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Code Fee (\$) | Code Fee (\$) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1202 18 | 2202 9 | Claims in excess of 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1201 86 | 2201 43 | Independent claims in excess of 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (2) | | | 906.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **or number previously paid, if greater; For Reissues, see above | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Other fee (specify) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | *Reduced by Basic Filing Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | SUBTOTAL (3) 2,250.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | |
|---------------------|--------------------|-----------------------------------|------------------|
| SUBMITTED BY | | (Complete if applicable) | |
| Name (Print/Type) | William E. McShane | Registration No. (Attorney/Agent) | 32,707 |
| Signature | | Telephone | (302) 658-9141 |
| | | Date | October 31, 2003 |

| | |
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| Express Mail Label No. ER 375178345 US | Dated: 10/31/03 |
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PM 01038
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MICHEL ANDRE CREPEAU

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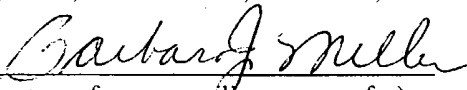
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Alexandria, VA 22313-1450

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Date of Deposit: **October 31, 2003**

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(Signature of person mailing paper or fee)

Barbara J. Miller
(Name of Person mailing paper or fee)

AMENDMENT

Dear Sir:

Please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.